

as a routine practice, routinely used as a weapon against the women in the region with no sign of abating.

The insecurity continues to hamper aid efforts, and on March 6, the United Nations forbade its workers from traveling to certain areas—the latest in a series of security measures put in place after aid workers were kidnapped and then killed. Aid organizations report that as many as 1,000 people a day are dying because of the lack of access to food and medicine.

All told, violence and insecurity have resulted in at least 70,000 deaths, although some believe the total to be much higher. The number of internally displaced persons has risen to nearly 2 million people. There are over 200,000 refugees in Chad alone. The current registration being conducted reveal that there are far more than the 20,000 refugees in neighboring Chad.

The African Union Force in Darfur has made a noticeable difference in the areas they are able to reach, but it does not have the size, the mandate, or the capability to protect civilians in Darfur. AU monitors have come under fire from government allied forces and, in some instances, have been prevented from investigating allegations of cease-fire violations.

The AU faces a serious lack of capacity both at the headquarters level and at the level of member states. Out of a mandated 3,000 troops, fewer than 2,000 are on the ground. And even at full strength, 3,000 soldiers is not enough to prevent further abuse of civilians and to investigate cease-fire allegations in the area the size of France.

It is evident to me that the administration—our administration—needs to devote some focused time and attention to addressing the genocide in Darfur. Our current policy has not turned the tide. We need to redouble our efforts and bring an end to the genocide in Darfur. The question will be 5 years from now to all of us: Where were we? Where were we? What did we do when this genocide unfolded? There will be another Academy Award-nominated movie about the god-awful genocide that is taking place, the routine rape, the systematic elimination of a whole people.

Today, I sent a letter to the President of the United States urging him to instruct our permanent representative at the NATO alliance, the so-called NAC, the North Atlantic Council, to propose that NATO assess and report immediately to members on the potential effectiveness of and requirements for a NATO-enforced no-fly zone across Darfur in the region of the Sudan. The reason I sent the letter is I am absolutely certain of what NATO will say. They are fully, totally capable of enforcing a no-fly zone out of Chad. The French could do it now.

I have been one who has been critical of this administration. I apologize for

discussing this in the middle of a bill we have been working on for a long time but, literally, events are overtaking us.

I am confident that NATO will point out they are fully physically capable of taking and imposing a no-fly zone in the region. That will be significant. My friend from New Jersey has been a leader on this subject and this issue. He has been banging us about the head to do more. He has a much more expansive proposal, which I support, than what I am proposing today.

I have stood in this Senate and defended our European allies against some of the broader allegations in the Bush allegation, but I must say today, I am tired of our French friends and others bleeding all over us about the plight of the people in Iraq, the plight of the people in other parts of the world, when it is fully within their capability right now that France could do this all by itself. Right now. They have the wherewithal, they have the aircraft, they are positioned, and they very much want to make sure that they are recognized as a major player in Africa.

I am, quite frankly, more than disappointed—appalled—for all their talk that they are not acting at all. That does not relieve us of responsibility. The fact that another nation has the capacity and has a history that would warrant it taking the action that needs to be taken now, and does not, does not free us of an obligation.

Today's Washington Post editorial page says that enforcing the no-fly zone in Darfur would require "one squadron of 12 to 18 fighter aircraft backed up by 4 AWAC planes," and cites a retired Air Force general as their source for believing such. Let's find out whether they are right. I believe they are. I have no reason to doubt that this Air Force general has talked not only to them but to others. But let's make it official. Let's do an assessment. Let's force the NAC to make an assessment now. I believe they will come back with exactly what I have just stated—a squadron, backed up by AWAC, that will be able to take out those gunships that are being used now to decimate entire villages.

As I said, my friend from New Jersey witnessed—I don't think he witnessed the actual gunships in action, but he witnessed the results. Let's find out now so we cannot kid around with ourselves, so we do not do what we are doing today, what we were doing last week and last month. We think this is an awful occurrence; we condemn it; but it is beyond our capacity to effect an outcome.

That is what they said to me in 1993 in Bosnia. That is what they said in 1997 in Kosovo. That is what we didn't do in Rwanda. This is time to act. It is within our capacity to do so. I believe it is totally consistent with the Presi-

dent's call for freedom, totally consistent with the President's Inaugural speech, which I applaud, totally consistent with what I believe and hope is in his heart, to be able to stop this kind of action.

The question is, why propose sending the NATO mission to Darfur? A NATO mission will do three things. First, it will provide immediate security for the people of Darfur by preventing area bombardment on the ground by the government of Sudan. Second, it will bolster the ability of the African force on the ground by discouraging attacks in the AU personnel and helicopters. Finally, it will send an unequivocal message to the international community that we will no longer tolerate Khartoum's actions.

Some may say, Why aren't you going to the U.N.? This is a point I want to make again and again, one I made back in 1993, 1995, 1997 and 1998. When that body does not act responsibly and when there is a genocide underway, it is fully within our rights—and I will argue our obligation—to act, hopefully, with others, with the strongest alliance in the history of the modern world, NATO. But even if they don't, we have a right, for I would argue and I say that which I am not supposed to say: If you engage in genocide, the world should reach a conclusion that you forfeit your sovereignty. You forfeit your sovereignty if you engage in genocide. That should be a principle we should state loudly and clearly. That warrants, if the capacity exists, the use of whatever action is possible to stop the genocide.

I realize we have 12 divisions, 10 of which are coming or going to Iraq. But we are not talking about a division here. We don't need a division here. We are going to look back and find a squadron of aircraft, possibly several thousand American forces. That is what I would do, by the way. I think we should put ground forces in as well, but I am not asking that. All I am asking is, quite frankly, prick NATO's conscience and have them give us an honest assessment of what would, in fact, be required to enforce a no-fly zone.

I send a resolution to the desk. I apologize I have not circulated this, but I know my colleague from New Jersey, as I say, has been heard on this and wants to be added. I know Senator DURBIN does.

I ask unanimous consent it remain open for the remainder of the day for me to be able to add cosponsors on both sides.

I thank the Chair and my colleagues for their indulgence.

Mr. FEINGOLD. I ask unanimous consent to be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 139. Mr. MCCONNELL (for Mr. CRAIG) proposed an amendment to the resolution S.

Res. 71, designating the week beginning March 13, 2005 as "National Safe Place Week".

SA 140. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 328, to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000; which was referred to the Committee on Foreign Relations.

#### TEXT OF AMENDMENTS

**SA 139.** Mr. MCCONNELL (for Mr. CRAIG) proposed an amendment to the resolution S. Res. 71, designating the week beginning March 13, 2005, "National Safety Place Week"; as follows:

In Section (2), strike "requests that the President issue a proclamation calling" and replace with "calls".

**SA 140.** Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 328, to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000; which was referred to the Committee on Foreign Relations; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . PRESIDENTIAL CERTIFICATION.

Notwithstanding any other provision of law, this Act and the amendments made by this Act shall not take effect until the President certifies to Congress that Cuba has released or properly accounted for political prisoners being held in Cuba, including the following individuals:

- (1) Dr. Oscar Elias Biscet.
- (2) Horacio Julio Pina Borrego.
- (3) Osvaldo Alfonso Valdes.
- (4) Ricardo Gonzalez Alfonso.
- (5) Pedro Pablo Alvarez Ramos.
- (6) Julio C. Galvez Rodriguez.
- (7) Edel Jose Garcia Diaz.
- (8) Marcelo Cano Rodriguez.
- (9) Angel Moya Acosta.
- (10) Manuel Vazquez Portal.
- (11) Adolfo Fernandez Sainz.
- (12) Carmelo Diaz Fernandez.
- (13) Nelson Molinet Espino.
- (14) Eduardo Diaz Fleitas.
- (15) Fidel Suarez Cruz.
- (16) Jorge Olivera Castillo.
- (17) Orlando Fundora Alvarez.
- (18) Roberto de Miranda Hernandez.
- (19) Efren Fernandez Fernandez.
- (20) Victor Rolando Arroyo Carmona.
- (21) Orlando Zapata Tamayo.
- (22) Oscar Espinosa Chepe.
- (23) Hector Maseda Gutierrez.
- (24) Majail Barzaga Lugo.
- (25) Nelson Aguiar Ramirez.
- (26) Antonio Diaz Sanchez.
- (27) Regis Iglesias Ramirez.
- (28) Martha Beatriz Roque Cabello.
- (29) Hector Palacios Ruiz.
- (30) Marcelo Lopez Banobre.
- (31) Alfredo Felipe Fuentes.
- (32) Hector Raul Valle Hernandez.
- (33) Guido Sigler Amaya.
- (34) Miguel Sigler Amaya.
- (35) Felix Navarro Rodriguez.
- (36) Librado Linares Garcia.
- (37) Lester Gonzalez Penton.
- (38) Omar Pernet Hernandez.
- (39) Antonio A. Villarreal Acosta.

- (40) Pedro Arguelles Moran.
- (41) Alejandro Gonzalez Raga.
- (42) Mario Enrique Mayo Hernandez.
- (43) Dr. Jose Luis Garcia Paneque.
- (44) Alfredo Dominguez Batista.
- (45) Reynaldo Labrada Pena.
- (46) Julio Antonio Valdes Guevara.
- (47) Jose Ramon Gabriel Castillo.
- (48) Luis Milan Fernandez.
- (49) Alexis Rodriguez Fernandez.
- (50) Leonel Grave de Peralta.
- (51) Juan Carlos Herrera Acosta.
- (52) Rafael Mollet Leyva.
- (53) Arnaldo Ramos Lausurique.
- (54) Raul Rivero Castaneda.
- (55) Migueal Valdes Tamayo.
- (56) Miguel Valdes Tamayo.
- (57) Miguel Galvan Gutierrez.
- (58) Jose Miguel Martinez Hernandez.
- (59) Jose Ubaldo Izquierdo Hernandez.
- (60) Ariel Sigler Amaya.
- (61) Ivan Hernandez Carillo.
- (62) Diosdado Gonzalez Marrero.
- (63) Margarito Broche Espinosa.
- (64) Arturo Perez de Alejo.
- (65) Omar Ruiz Hernandez.
- (66) Blas Giraldo Reyes Rodriguez.
- (67) Pablo Pacheco Avila.
- (68) Alfredo Pulido Lopez.
- (69) Normando Harandez Gonzalez.
- (70) Jorge Luis Gonzalez Tanquero.
- (71) Luis Enrique Ferrer Garcia.
- (72) Prospero Gainza Aguero.
- (73) Cruz Delia Aguilar Mora.
- (74) Claro Sanchez Altarriba.
- (75) Jose Daniel Ferrer Garcia.
- (76) Ricardo Silva Gual.
- (77) Jesus Mustafa Felipe.
- (78) Manuel Ubias Gonzalez.
- (79) Fabio Prieto Llorente.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Thursday, March 10, 2005. The purpose of this hearing will be to consider the reauthorization of the Commodity Futures Trading Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2005, at 9:30 a.m., in open session to receive testimony on the review of Department of Defense detention operations and detainee interrogation techniques.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 10, 2005, at 2:30 p.m., to conduct a hearing on "Identity Theft: Recent Developments Involving the Security of Sensitive Consumer Information".

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 10, 2005, at 10 a.m. on pending committee business.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 10, 2005, at 11 a.m. in Senate Dirksen Office Building Room 226. The agenda is attached.

#### AGENDA

##### I. Nominations

William G. Myers, III, to be U.S. Circuit Judge for the Ninth Circuit.

##### II. Legislation

Asbestos Legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 10 a.m. on Monday, the Senate proceed to the consideration of the budget resolution; provided further that when the Senate begins the consideration of the resolution on Monday there will be a total of 45 hours remaining on that resolution, with 22 hours controlled by the majority and 23 controlled by the minority.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that when the nomination for the Assistant Secretary for Civil Works is received by the Senate, it be referred to the Committee on Armed Services; provided that when the Committee on Armed Services reports the nomination it be referred to the Committee on Environment and Public Works for a period of 20 days of session; provided further that if the Committee on Environment and Public Works does not report the nomination within those 20 days, the committee be discharged from further consideration of the nomination and the nomination be placed on the Calendar.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. This order is a joint request by the chairmen and ranking members of the Committee on Armed